

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Irrigation & C.A.D. Department – Allegation of corruption against Sri B. Subba Rao, Deputy Executive Engineer (Mechanical) (Retd.), formerly worked in the Office of Deputy Director, Ground Water Department, Hyderabad - Found guilty of the charges and convicted by the orders of Hon'ble Court of Principal Special Judge for SPE & ACB Cases, Hyderabad dated 29.06.2013 in C.C.No.28/2008 - Imposition of punishment of withholding pension and gratuity in full permanently against the accused officer Sri B. Subba Rao, Deputy Executive Engineer (Mech.) (Retd.) – Orders – Issued.

IRRIGATION AND COMMAND AREA DEVELOPMENT (Ser.VI-1) DEPARTMENT

G.O.Ms.No. 81.

Dated 13.08.2013.
Read the following:-

- 1) Radio Message received from the Deputy Superintendent of Police, Anti-Corruption Bureau, City Range-I, Hyderabad, dated 17.11.2006.
- 2) Proceedings No.12714/E.I(4)/2006, dated 18-11-2006 of the Director, Ground Water Department, Hyderabad.
- 3) From the Director General, Anti-Corruption Bureau, Hyderabad, letter RC.No.209/RCT-CR1/2006, dated 05.07.2007.
- 4) G.O.Ms.No.98, Irrigation & CAD (Ser.VI(1) Department, dated 30.06.2008.
- 5) G.O.Rt.No.1081, Irrigation & CAD (Ser.VI(1) Department, dated 14.08.2008.
- 6) From the Hon'ble Court of the Principal Special Judge for SPE & ACB Cases, Hyderabad, Judgement dated 29.06.2013 in C.C.No.28 of 2008.

OR D E R:

In the reference 1st read above, the Investigating Agency has brought to the notice of the Government that a Trap Case was registered by the Anti-Corruption Bureau authorities against Sri B. Subba Rao, Deputy Executive Engineer, Ground Water Department, Hyderabad, as he demanded and accepted the bribe amount from the complainant. The accused officer Sri B. Subba Rao, Deputy Executive Engineer was arrested on 16-11-2006 at 09.15 P.M., and he was produced before the Prl. Special Judge for SPE & ACB Cases, Hyderabad for Judicial custody. Accordingly, the accused officer Sri B. Subba Rao, Deputy Executive Engineer was placed under deemed suspension from the date of his detention i.e., on 16-11-2006 under Rule 8(1) and 8(2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 vide reference 2nd read above.

2. In the reference 3rd read above, the Director General, Anti-Corruption Bureau, Hyderabad has recommended to prosecute the accused officer Sri B. Subba Rao, Deputy Executive Engineer in a competent Court of Law under Prevention of Corruption Act, 1988.

3. In the reference 4th read above, orders were issued, by according sanction for prosecuting the accused officer Sri B. Subba Rao, Deputy Executive Engineer, Office of the Deputy Director, Ground Water Department, Hyderabad in a competent court of law for the offences punishable under Section 7 and 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988.

4. In the reference 5th read above, orders were issued, by reinstating the accused officer Sri B. Subba Rao, Deputy Executive Engineer, Office of the Deputy Director, Ground Water Department, Hyderabad into service.

(P.T.O.)

5. In the reference 6th read above, the Hon'ble Court of Principal Special Judge for SPE & ACB Cases, Hyderabad in its Judgement dated 29.06.2013 in C.C.No.28/2008 held that "The accused officer demanded and accepted bribe of Rs.10,000/- from PW-1 for processing the file and to see that the supply orders are issued in his favour and thus the charge under Section 7 of Prevention of Corruption Act is proved against the accused officer and he being a public servant received Rs.10,000/- as a pecuniary gain by corrupt and illegal means and thus the charge under Section 13(1)(d) read with 13(2) of the Prevention of Corruption Act is also proved against him and accordingly accused officer is found guilty for the said offences. In the result, accused officer is convicted under Section 248(2) Cr.P.C. for the offences under Sections 7, 13 (1)(d) of Prevention of Corruption Act, 1988 and sentenced to undergo Rigorous Imprisonment for (1) year and fine of Rs.20,000/- for each of the offences under Section 7 and 13(1)(d) read with 13(2) of the Prevention of Corruption Act, in default of payment of fine, he shall suffer Simple Imprisonment for 6 months each. Both the substantive sentences shall run concurrently. Accused Officer shall pay the fine amount separately (i.e. Rs.40,000/- in total). The period of remand already undergone by the accused shall be set off as required under 428 Cr.P.C".

6. After careful examination of the entire matter, it has been decided to impose the punishment of withholding pension and gratuity in full permanently against the accused officer Sri B. Subba Rao, Deputy Executive Engineer (Retd.), formerly worked in the Office of the Deputy Director, Ground Water Department, Hyderabad under Rule 9 of A.P. Revised Pension Rules, 1980, as the said accused officer was found guilty of the offences punishable under Section 13(2) read with Section 13(1)(d) of Prevention of Corruption Act, 1988 and convicted by the orders of Hon'ble Court of Principal Special Judge for SPE & ACB Cases, Hyderabad dated 29.06.2013 in C.C.No.28/2008.

7. Accordingly, Government hereby order to impose the punishment of withholding of pension and gratuity in full permanently against the accused officer Sri B. Subba Rao, Deputy Executive Engineer (Retd.), formerly worked in the Office of the Deputy Director, Ground Water Department, Hyderabad under Rule 9 of A.P. Revised Pension Rules, 1980, as the said accused officer was found guilty of the offences punishable under Section 13(2) read with Section 13(1)(d) of Prevention of Corruption Act, 1988 and convicted by the orders of Hon'ble Court of Principal Special Judge for SPE & ACB Cases, Hyderabad dated 29.06.2013 in C.C.No.28/2008.

8. The Director, Ground Water Department, Hyderabad shall take further necessary action in the matter accordingly and acknowledge the receipt of the order.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B. Subba Rao, Deputy Executive Engineer (Retd.), formerly worked in the Office of the Deputy Director, Ground Water Department, Hyderabad through the Director, Ground Water Department, Hyderabad.

The Director, Ground Water Department, Hyderabad.

Copy to:

The Accountant General (A&E), A.P., Hyderabad.

The Director General, Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commission, A.P. Vigilance Commission, Hyderabad.

SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER